Secti. II-27—100,000—21-5-52.

(3)

Home (1950) Department.

My SERIES.

G.O. No. 3031

Dated 3-7-1950

[Despatch Abstract.]

Government Pleader and Public Prosecutor - Combination or separation of the posts - Remarks - Submitted.

Copy of Revenue Department.
Subject.

GOVERNMENT PLEADER AND PUBLIC PROSECUTOR - Combination or separation of the posts - Remarks - submitted.

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B.P.Rt.2029.

Station:Madras. Dated 1.4.50.

From

Sri A.F. Mascarenhas I.A.S.,
Secretary, Board of Revenue, Madras.

Sri W.R.S. Sattianathan I.C.S., Commissioner of Land Revenue.

Read: From the Government Memo.No.48490.F.49.2 Home dated 5.9.49.
Reports from Collectors.

Resolution:

The Board has examined the proposal of the Government contained in their memo. cited above and submits the following remarks on it.

2. Reports from all the Collectors except from the Collector of Visakhapatnam have been received. In the district of Madras the Government Pleader and Public Prosecutor are not appointed by the Collector of Madras. The Collectors of the ten districts mentioned in the Government Memo. cited above in which the posts of the Government Pleader and Public Prosecutors have been combined have expressed the view that the existing practice should be continued. The reasons urged in support of their contension are that the present combination is satisfactory and economic, ~~that the civil nation is satisfactory and seen~~ that the civil and criminal work both combined is not very heavy for a single incumbent to cope with, that either the civil or the criminal work is comparatively light and that no change in the existing practice is necessary.

3. The Collectors of the other districts in which the posts of the Government Pleader and Public Prosecutor are kept separate have stated that the civil and criminal work both combined would be too heavy to be managed by one law officer, that the appointment of experienced persons separately for each branch is always safe in the efficient discharge of Government work, that a competent lawyer equally well qualified both on the civil and criminal side would not always be available for appointment and that therefore the two posts may be kept separate. In the circumstances reported by the Collectors the Board considers that neither the separation in the ten districts nor the combination in the other districts is necessary.

4. Incidentally the Collector of Tanjore reports that the Government Pleader and Public Prosecutor have been combined in West Tanjore, but that they are separate in East Tanjore. He suggests that the two posts in East Tanjore may also be combined with a advantage as there is inappreciable work in that place. Similarly the Collector of Malabar recommends the combination of the two posts in North Malabar as in South Malabar. The Collector of Tiruchirapalli recommends the appointment of a G.O. cum P.P. at Pudukottai on the ground that after the merget of Pudukottai in Tiruchirapalli district civil cases relating to Pudukottai are being adjudicated on the basis of quantam of state laws and that the P.P. or - Additional P.P. could not conveninientlyattend the

p.t.o.

Assistant Sessions Court established at Pudukottai. The Collector of Ramanad points out that the pleaders doing government work in mufassal courts not the Additional P.Ps. have adequate work. He suggests that these two posts may be combined together in Devakottai and Sivaganga stations without detriment to either the civil or criminal side especially as the Assistant Sessions Judge in these stations is also the Sub-judge attending to both criminal and civil work. The Board supports the suggestions of these Collectors.

(Sd) x x x
For Secretary.

To
The Secretary to Government, Home Department, Madras.
Copy-to

/True Copy/.

Vn.2.8.

GOVERNMENT OF MADRAS.
ABSTRACT

Law Officers - Government Pleaders and Public Prosecutors - Combination and separation of posts - Orders passed.

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HOME DEPARTMENT.

G.O.Ms.No.3031. Dated 3rd July 1950.
Read the following:

From the Board of Revenue, B.P.
Rt.2029, dated 1.4.50.

O R D E R:

Recorded.

2. The Board of Revenue is informed that the Government agree with its recommendation that neither the separation of the posts of the Government Pleader and Public Prosecutor in the ten districts nor the combination of the two posts in the other districts is necessary.

3. The attention of the District Magistrate, Ramanathapuram is invited to G.O.No.3133 Home, dated 2.8.49 in which the Government have already directed Sri R. Srinivasa Iyenger, Additional Public Prosecutor, Devakottai to continue as Pleader doing Government work at Devakottai. Attention is also invited to Memo.No.26101 Cts..111/50, Home, dated 11.3.50 and the District Magistrate is requested to submit proposals for the appointment of Additional Public Prosecutor Sivaganga as Pleader doing Government work also, if there is no likelihood of the previous incumbent returning to duty.

4. The District Magistrate, Tiruchirapalli is informed that the Government consider that there is no case for the creation of a separate Government Pleader and Public Prosecutor for Pudukottai.

5. The District Magistrate, Malabar is requested to renew his proposal to combine the posts of Public Prosecutor and Government Pleader in North Malabar when submitting proposals to Government at the time of expiry of the term of the present incumbent in October, 1950.

(By Order of etc.,)

(Sd.) x x x
Secretary to Government

To
The Board of Revenue, Madras.(with encl.)
The Distfict Magistrate, Ramanathapuram (para 2 only) with reference to his letter L.Dis.422149 d/23.9.49.
The District Magistrate, Tiruchirapalli (para 3 only) w.r.t.his L.Dis.Sl.1064/49 d/26.9.49.
The District Magistrate, Malabar (para 4 only) w.r.t.his letter 10697/M/49 d/14.11.49.

/True Copy/.

R Nagarajan
SUPERINTENDENT.
Madras Record Office, Madras.

Vn.2.8.